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**teckcominco**

## **PROGRESS REPORT NO. 17**

**TO:** Kevin Rochlin – U.S. Environmental Protection Agency (EPA), Region 10  
(R10) - via Email  
Monica Tonel – EPA, R10 (via Email)

**FROM:** Marko Adzic – Teck Cominco American Incorporated (TCAI)

**CC:** David Godlewski – TCAI (via Email)  
Bruce Duncan – EPA, R10 (via Email)  
David Charters – EPA, Headquarters (via Email)  
Lucinda Jacobs – TCAI Technical Team (via Email)

**DATE:** December 10, 2007                      **FILE NO:** 1-773180-000

**RE:** Upper Columbia River (UCR) Remedial Investigation/Feasibility Study  
(RI/FS) - Progress Report No. 17 Month Ending November 2007

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Pursuant to Paragraph 39 of the June 2, 2006 Settlement Agreement (Agreement), the following is intended to provide a summary of the activities completed during the past month in compliance with the aforementioned Agreement. It is also intended to provide a brief summary of pending and on-going activities.

At the time of writing, official comments on the September 21, 2007 RI/FS work plan have not been received. A list of questions was however electronically submitted to TCAI on November 29, 2007; and a meeting has been scheduled for December 12-13, 2007 in Spokane, WA to review and discuss the questions. It is anticipated that having the opportunity to review and discuss the aforementioned questions will facilitate approval of the RI/FS work plan in the near future.

Further to Progress Report No. 16, the afternoon of December 13, 2007 has been reserved for TCAI and its technical team to present the surface water 'straw man' proposal (on-line using GoToMeeting™). TCAI understands however that comments from EPA and participating parties on the surface water 'straw man' proposal will not likely be available until after December 19, 2007. As a result, and pending the nature and extent of the comments, it is unlikely that the draft surface water sampling and analysis plan (SAP) will be made available in December 2007 as anticipated (refer to Progress Report No. 16). Therefore, and in light of the fact that TCAI is committed to collect surface water

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samples in April 2008<sup>1</sup>, it is anticipated that the draft surface water SAP will be submitted in early January 2008 to facilitate EPA review and SAP approval.

EPA and participating parties have requested that the 'straw man' presentation of the screening level ecological risk assessment (SLERA) presented on October 10, 2007 be repeated. As such, an on-line GoToMeeting™ was scheduled for December 19, 2007 from 1:30 – 3:30 PM Pacific Standard Time (PST) for this purpose. As a result of this request however, it is not anticipated that the draft SLERA can be submitted to EPA and participating parties for review in December 2007 as outlined within Progress Report No. 16. As with the above-mentioned surface water SAP however, and based on the nature and extent of comments received on December 19, 2007, it is anticipated that the draft SLERA can be submitted to EPA and participating parties in early January 2008.

TCAI has proposed that the Phase 2 beach 'straw man' proposal be presented to EPA and participating parties on either December 20 or 21, 2007. A date however has not been confirmed. As a result, it is unlikely that the revised beach SAP<sup>2</sup> will be submitted in December 2007 as anticipated (refer to Progress Report No. 16). Rather, and depending on when the beach 'straw man' proposal can be presented, and the resulting nature and extent of comments received during that time, it is hoped that the Phase 2 beach SAP can be submitted to EPA for review and approval no later than January 2008. Based on the proposed Phase 2 beach locations, TCAI's legal counsel is in the process of finalizing an access agreement with the U.S. Department of Interior, National Parks Service<sup>3</sup> to facilitate access and related sampling efforts. Similarly, TCAI has developed a land access agreement for private land owners<sup>4</sup>. Upon approval of the proposed beach locations, respective land owners will be contacted accordingly.

A draft recreational use survey template was electronically submitted to EPA on December 3, 2007 to facilitate and encourage technical discussions on this matter. As noted during the time of submission, the draft survey is not intended to represent the SAP, but rather, to initiate technical discussions between EPA and TCAI, and to ensure that the nature of the questions are useful for the human health risk assessment (HHRA) to be performed by EPA. It is anticipated that upon having the opportunity to review the draft survey, EPA and TCAI technical leads will discuss key elements of the draft survey, the potential overlap with other elements of the HHRA, and the resulting next steps associated with developing the respective SAP. It is anticipated that such discussions will likely be conducted during the January 2008 technical work shop, see below.

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<sup>1</sup> As outlined within the September 21, 2007 RI/FS work plan, one of the studies proposed by TCAI to be conducted and initiated in 2008 (i.e., April) is a surface water quality sampling program.

<sup>2</sup> The initial draft of the beach SAP was submitted to EPA and participating parties on February 26, 2007 with preliminary comments received from EPA on October 17, 2007.

<sup>3</sup> It is anticipated that the access agreement developed between TCAI and the National Parks Service will serve as the template for similar agreements with the Spokane Tribe of Indians (STI) and the Confederated Tribes of the Colville Reservation (CCT). At this time, none of the proposed Phase 2 beaches are located on tribal lands. TCAI acknowledges that the access agreement will require tribal specific modifications to accommodate specific permits (e.g., research permit), and that this may take up to four weeks as outlined within the research regulation ordinance process (<http://www.colvilletribes.com/resregordpro.htm>).

<sup>4</sup> The private land access agreement was reviewed by EPA legal counsel.

A number of three-day technical work shops, similar to that conducted in April 2007, have been scheduled for 2008. At the time of writing they are as follows:

1. January 15-17, 2008
  - a. Day 1 = 1:00 – 5:00 PM PST
  - b. Day 2 = 8:00 AM - 5:00 PM PST
  - c. Day 3 = 8:00 AM - 12:00 PM PST
2. March 18-20, 2008
  - a. Day 1 = 1:00 – 5:00 PM PST
  - b. Day 2 = 8:00 AM - 5:00 PM PST
  - c. Day 3 = 8:00 AM - 12:00 PM PST
3. May 27-29, 2008
  - a. Day 1 = 1:00 – 5:00 PM PST
  - b. Day 2 = 8:00 AM - 5:00 PM PST
  - c. Day 3 = 8:00 AM - 12:00 PM PST

With the exception of the January 2008 technical work shop being held in Seattle, WA locations for the March and May events have not yet been confirmed. At the time of writing, the agenda for technical items of discussion have not been finalized and will evolve as a result of discussions between EPA and TCAI.

A summary of activities (e.g., deliverables) completed to date, and those anticipated within in the near future, are presented within Table 1 below.

**Table 1. Upper Columbia River Remedial Investigation/Feasibility Study Summary of On-Going and Planned Activities**

Task No.	Task Description	Status	Issues	Estimated Completion Date <sup>1</sup>
1.	2005 Field Data Transfer	Complete	None to report at this time	<u>July 31, 2006</u>
2.	Technical Memorandum <sup>2</sup>	Complete	None to report at this time	<u>October 27, 2006</u>
3.	Draft RI/FS Work Plan	Complete	None to report at this time	<u>December 28, 2006</u>
4.	Sampling and Analysis Plan (SAP) <sup>3</sup>	Complete	None to report at this time	<u>February 26, 2007</u>
5.	Health and Safety Plan	Complete	None to report at this time	<u>February 26, 2007</u>
6.	Cultural Resources Coordination Plan	Complete	None to report at this time	<u>February 26, 2007</u>
7.	Revised RMAO Memorandum <sup>4</sup>	Complete	None to report at this time	<u>March 11, 2007</u>
8.	Additional Trail Data	Complete	None to report at this time	<u>May 6, 2007</u> <sup>5</sup>
9.	April Workshop Summary	Complete	None to report at this time	<u>July 12, 2007</u>
10.	Revised RI/FS Work Plan	Complete	None to report at this time	<u>September 21, 2007</u>
11.	Screening Level ERA	Draft Complete	Delayed due to Request for Additional 'Straw Man' Presentation	January 2008
12.	Surface Water SAP	On-Going	None to report at this time	January 2008 <sup>6</sup>
13.	Phase 2 Beach SAP	On-Going	Presentation Timing of 'Straw Man Proposal Requires Confirmation	January 2008 <sup>6</sup>

- Notes:
1. Dates that have been underlined represent the actual day that the respective deliverable was submitted to EPA as per Paragraph 80 of the Agreement.
  2. As outlined within the Agreement, the technical memorandum outlines and described the Risk-Based Remedial Objectives for the Ecological Risk Assessment. Remedial objectives for the protection of human health will be prepared by EPA and submitted under separate cover at a later date.
  3. The SAP submitted in fulfillment of Paragraph 13 of the Agreement was the 2007 *Sediment Investigation of Beaches and Depositional Areas*.
  4. The draft technical memorandum on risk-based management action objectives (RMAOs) was revised per EPA's January 16, 2007 comments.
  5. Following a request outlined by EPA in a letter dated February 1, 2007 (received on February 5, 2007) TCAI has compiled additional information on the Trail Facility so as to assist in the identification of chemicals of concern (COIs) as outlined within Paragraph 24 of the Agreement. An electronic version of the deliverable was forwarded to EPA on May 6, 2007 with hard copies delivered shortly thereafter. In addition, a second deliverable identified as "Business Confidential" information was submitted to EPA legal counsel under separate cover on May 7, 2007 by Pillsbury Winthrop Shaw Pittman (i.e., TCAI legal counsel) on behalf of TCAI.
  6. It is anticipated that the Phase 2 beach and surface water SAPs will be submitted in January 2008 but an exact date has not yet been determined and may depend on the level of feedback received from EPA following on-line meetings/presentations using GoToMeeting™.
  7. ERA = Ecological Risk Assessment  
SAP = Sampling & Analysis

Should you have any questions or require any additional information, please do not hesitate to contact me at 509-892-2585.